

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 26, 2005 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2005-0365 to 2005-0379
ORDINANCES – 2005-0405 to 2005-0447
RESOLUTION – 2005-0007 to 2005-0008

2005-0343-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Khan

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

Motions 2005-365 to 2005-0367a – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 27, 2005 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 53

MISCELLANEOUS - NUMBERS 1 through 3

1. Motion 2005-0374

REQUEST from Mayor on recommendation from Harris County AFL-CIO for confirmation of the appointment of **MR. DEAN CORGEY** to Position Two of the **ETHICS COMMITTEE**, for a term to expire December 31, 2006

2. Motion 2005-0375

REQUEST from Mayor for confirmation of the appointment of **MS. MARY K. VARGO**, to Position 2, Panel B of the Building and Standards Commission, for a term to expire December 31, 2005

MISCELLANEOUS – continued

3. Council Members Galloway and Green tagged

RECOMMENDATION from Director Building Services Department for approval to delegate authority to the Director Building Services Department to utilize competitive sealed proposal method for Facility Construction Projects estimated to be \$1,000,000.00 or more

ACCEPT WORK - NUMBER 4

4. Motion 2005-0376

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,473,818.18 and acceptance of work on contract with **LAUGHLIN ENVIRONMENTAL, INC** for Citywide Fire Hydrant Replacement and Height Correction, GFS S-0035-SR-3 (10719) - 01.73% under the original contract amount

PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 10

5. Motion 2005-0369

HOUSTON 2-WAY RADIO, INC for Intercom/Radio Mixer Systems for ARFF Vehicles for Houston Airport System - \$49,922.00 - Enterprise Fund

6. Ordinance 2005-0406

ORDINANCE appropriating \$10,010.70 out of Parks Consolidated Construction Fund for Asbestos Abatement and Demolition Services at Alief Community Park; GFS F-0509-08-5; providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT F - KHAN**

a. Motion 2005-0370

HAZARD ASSESSMENT LEADERS, INC (HAL) for Asbestos Abatement and Demolition at Alief Community Park for Building Services Department

7. Ordinance 2005-0407

ORDINANCE appropriating \$613,007.95 out of Fire Consolidated Construction Fund to Purchase Equipment for New Fire Stations 86 and 94; CIP C-0061 & C-0127 - **DISTRICTS E - WISEMAN and G - HOLM**

a. Motion 2005-0371

KNAPP CHEVROLET, INC - \$558,200.00 and **BEAUMONT MOTOR COMPANY d.b.a. CLASSIC CHEVROLET BEAUMONT** - \$369,500.14 for Ambulances and Cabs and Chassis through the Interlocal Agreement for Cooperative Purchasing with H-GAC for Fire Department - Equipment Acquisition Consolidated and Fire Consolidated Construction Funds

8. Motion 2005-0372

MOODY BROS., INC for Equipment, Chlorinator Parts, Wallace and Tiernan for Department of Public Works & Engineering - \$270,300.00 - Enterprise Fund

9. Motion 2005-0377

CEMEX for Five-through Eight-Sack Concrete Mix for Various Departments - \$4,268,784.00 General, Enterprise and Storm Water Funds

10. Motion 2005-0373

TURTLE & HUGHES, INC for Electrical Switchgear and Motor Controls Contract for Various Departments - \$619,744.90 - General, Enterprise, Fleet Management and Storm Water Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 53

11. Resolution 2005-0007

RESOLUTION relating to the appointment of Directors to the Board of Directors of the **HOUSTON HOUSING FINANCE CORPORATION:**

- Position 2 - **MR. R. QUINN MEADS**, appointment, for a term to expire 12/5/2007
- Position 4 - **MS. LEESHAN BIRNEY**, appointment, for a term to expire 12/5/2007
- Position 5 - **MR. REDICK EDWARDS**, reappointment, for a term to expire 12/5/2007
- Position 7 - **MR. JOHN BRODIE**, reappointment, for a term to expire 12/5/2006
- Position 8 - **MR. JOHN A. GONZALES**, reappointment, for a term to expire 12/5/2007
- Position 10 - **MR. DANNY DAVID**, appointment, for a term to expire 12/5/2006
- Position 11 - **MR. FELIX FRAGA**, reappointment, for a term to expire 12/5/2007

12. Ordinance 2005-0436

ORDINANCE **AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to disposition of property held by the Police Department

Written motion by Council Member Lawrence to amend Item 13 as follows:

"Concerning Houston City Council Agenda Item 13, I hereby provide a written motion to amend Article XX Section 45-501(5) in the following manner:

- (5) ~~A neighborhood electric vehicle or a motor assisted scooter, as defined by Section 551.301 of the Transportation Code.~~

Concerning Houston City Council Agenda Item 13, I further motion to amend Article XX Section 45-502 in the following manner:

- (a) A person commits an offense if the person rides or operates, or as the parent or ward of a child younger than 18 years of age permits the child to ride or operate, a minimotorbike on any public roadway, street, alley or sidewalk or city park within the City limits.
- (b) A person commits an offense if the person rides or operates, or as the parent or ward of a child younger than 18 years of age permits the child to ride or operate a neighborhood electric vehicle or a motor assisted scooter on any alley, sidewalk or city park within the City limits. – **Tagged by Council Member Holm**

13. Council Member Holm tagged

ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the operation of Minimotorbikes on Public Roadways and Parks; providing for severability; and providing an effective date

14. Ordinance 2005-0408

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 416**

15. Ordinance 2005-0409

ORDINANCE consenting to the addition of 72.7806 acres of land to **NORTH BELT UTILITY DISTRICT**, for inclusion in its district

16. Ordinance 2005-0410

ORDINANCE approving and authorizing special warranty deed conveying to HMH Group, Inc., a Texas Corporation, a parcel of land containing 78,053 square feet (1.7919 acres), more or less, out of Reserve "B" of King Estates Subdivision, Section 2, Thomas Tobin Survey, A-774, Harris County, Texas (Former King Estates / Kennedy Heights Library located at the southeast corner of East Orem Drive at Cullen Boulevard); and in consideration of HMH Group, Inc's payment of \$78,933.53 and other consideration to the City - Parcels SY4-036 - **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

17. Ordinance 2005-0411

ORDINANCE approving and authorizing special warranty deed conveying to Houston Rent To Own, LLC, a Texas Limited Liability Company, a parcel of land containing 10,094 square feet (0.2317 acre), more or less, being all of Lots 26 and 27, Block 65, Foster Place Extension No. 3 Subdivision, S. D. Waltman Survey, A-843, Harris County, Texas (Excess South Loop Freeway, right-of-way located in the 7300 block of Conley Street); and in consideration of Houston Rent To Own, LLC's payment of \$26,016.00 and other consideration to the City - Parcel S83-034

DISTRICT D - EDWARDS

18. Ordinance 2005-0412

ORDINANCE approving and authorizing special warranty deed conveying to Seyed Ali Tabatabai, a parcel of land containing 12,535 square feet (0.2878 acre), more or less, being the residue of Lots 1, 2, 3, 4 and 5, Block 1, Senechal Place Subdivision, Luke Moore Survey, A-51, Harris County, Texas (Excess Scott Street right-of-way, located at 1800 Scott Street at Coyle Street); and in consideration of Seyed Ali Tabatabai's payment of \$52,000.00 and other consideration to the City - Parcel SY3-019 - **DISTRICT D - EDWARDS**

19. Ordinance 2005-0413

ORDINANCE approving and authorizing special warranty deed conveying to Manuel E. Solis, a parcel of land containing 10,432 square feet, more or less, being the residue 7,992 square feet out of Lots B, C, D and E, Block 125 and 2,440 square foot being the excess right-of-way of Terminal Street, Central Park Addition, S. M. Williams Survey, A-87, Harris County, Texas (Excess Navigation Boulevard, right-of-way located at 6600 Navigation Boulevard); and in consideration of Manuel E. Solis' payment of \$19,001.00 and other consideration to the City - Parcel S71-050 - **DISTRICT I - ALVARADO**

20. Ordinance 2005-0414

ORDINANCE approving and authorizing special warranty deed conveying to Jesus Way Bible Fellowship Church, a Texas Non-profit Corporation, a parcel of land containing 36,451 square feet (0.837 acre), more or less, being Tract 36C, Block 36, Glendale Subdivision, John Brown Survey, A-8, Harris County, Texas (Excess Munn Street Extension, right-of-way located at 1630 Pleasantville Drive at Munn Street); and in consideration of Jesus Way Bible Fellowship Church's payment of \$48,100.00 and other consideration to the City - Parcel SY5-010 **DISTRICT B - GALLOWAY**

21. Ordinance 2005-0415

ORDINANCE approving and authorizing special warranty deed conveying to Jesus Way Bible Fellowship Church, a Texas Non-profit Corporation, a parcel of land containing 18,294 square feet (0.420 acre), more or less, being Tract 36B, Block 36, Glendale Subdivision, John Brown Survey, A-8, Harris County, Texas (Excess Munn Street Extension, right-of-way located at 1630 Pleasantville Drive at Munn Street); and in consideration of Jesus Way Bible Fellowship Church's payment of \$25,400.00 and other consideration to the City - Parcel SY5-012 **DISTRICT B - GALLOWAY**

22. Ordinance 2005-0416

ORDINANCE approving and authorizing special warranty deed conveying to Robert R. Snyder a parcel of land containing 11,604 square feet, more or less, out of Lot 20, Block 21, Acre Home Addition, Juan Sutton Survey, A-751, Harris County, Texas (Former Water Plant Site acquired from Gulf Palms Utility Co., Inc., 12300 Palmdale); and in consideration of Robert R. Snyder's payment of \$26,200.00, and other consideration to the City - Parcel S84-071 - **DISTRICT E - WISEMAN**

RESOLUTIONS AND ORDINANCES - continued

23. Ordinance 2005-0417

ORDINANCE approving and authorizing special warranty deed conveying to Nghiem Pham, a parcel of land containing 25,140 square feet (0.5771 acre), more or less, out of Lot 2, Block 51, Lum Terrace Addition, H. B. Prentiss Survey, A-56, Harris County, Texas (Excess property for proposed Police Substation, located at 7411 Park Place Boulevard); and in consideration of Nghiem Pham's payment of \$80,000.00 and other consideration to the City - Parcel SY2-016

DISTRICT I - ALVARADO

24. Ordinance 2005-0418

ORDINANCE approving and authorizing special warranty deed conveying to Bernardo Gonzalez, a parcel of land containing 9,993 square feet, more or less, out of Lots 3, 4 and 5, Block 19, Pecan Park Addition, Jacob Thomas Survey, A-74, Harris County, Texas (Extension of South 75th Street right-of-way, located in the 7100 block of Vandeman Street at Garland Street); and in consideration of Bernardo Gonzalez's payment of \$61,459.69 and other consideration to the City - Parcel S83-058 - **DISTRICT I - ALVARADO**

25. Ordinance 2005-0419

ORDINANCE approving and authorizing special warranty deed conveying to Manuel E. Solis, a parcel of land containing 4,805 square feet, more or less, being the residue of Lots 12, 13, 14 and the east 3-feet of Lot 15, Block 125, Central Park Addition, S. M. Williams Survey, A-87, Harris County, Texas (Excess Navigation Boulevard, right-of-way located at Navigation and 67th Street); and in consideration of Manuel E. Solis' payment of \$12,001.00 and other consideration to the City - Parcel S71-047 - **DISTRICT I - ALVARADO**

26. Ordinance 2005-0420

ORDINANCE approving and authorizing special warranty deed conveying to Manuel E. Solis, a parcel of land containing 13,967 square feet, more or less, being all of Lots 31 and 32 and the residue of Lots 16, 17, 18, 19 and 20 and the residue of the west 22-feet of Lot 15, Block 125, Central Park Addition, S. M. Williams Survey, A-87, Harris County, Texas (Excess Navigation Boulevard, right-of-way located at 6639 Navigation Boulevard); and in consideration of Manuel E. Solis' payment of \$28,001.00 and other consideration to the City - Parcel S71-048 -

DISTRICT I - ALVARADO

27. Ordinance 2005-0421

ORDINANCE approving and authorizing special warranty deed conveying to Manuel E. Solis, a parcel of land containing 7,625 square feet, more or less, the residue of Lots 21, 22, 23 and 24 and Lot A, Block 125, Central Park Addition, S. M. Williams Survey, A-87, Harris County, Texas (Excess Navigation Boulevard, right-of-way located at 6500 Navigation Boulevard); and in consideration of Manuel E. Solis' payment of \$18,001.00 and other consideration to the City - Parcel S71-049 - **DISTRICT I - ALVARADO**

28. Ordinance 2005-0422

ORDINANCE approving and authorizing special warranty deed conveying to Manuel E. Solis, a parcel of land containing 12,278 square feet, more or less, the residue of Lots 1, 2, 3, 4 and 8, Block 126, Central Park Addition, S. M. Williams Survey, A-87, Harris County, Texas (Excess Navigation Boulevard, right-of-way located at 6500 Navigation Boulevard); and in consideration of Manuel E. Solis' payment of \$23,001.00 and other consideration to the City - Parcel S71-051

DISTRICT I - ALVARADO

RESOLUTIONS AND ORDINANCES - continued

29. Ordinance 2005-0423

ORDINANCE issuing a permit to **EXXONMOBIL PIPELINE COMPANY**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued; providing for severability - **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; E - WISEMAN and H - GARCIA**

30. Ordinance 2005-0437

ORDINANCE approving and authorizing lease agreement between the City of Houston and **TRAMMELL CROW COMPANY IAH INTERNATIONAL AIR CARGOCENTRE II, L.P.** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY**

31. Ordinance 2005-0438

ORDINANCE appropriating \$360,000.00 out of Fire Department Fund Number 48A; approving and authorizing first amendment to lease agreement between **HORNBERGER BROS. PROPERTIES, INC, as landlord**, and the City of Houston, as tenant, for approximately 24,928 square feet of land located at 815 Pierce Street, to extend the lease term for three years; such leased premises to be used as a Temporary Fire Station by the Houston Fire Department **DISTRICT I - ALVARADO**

32. Ordinance 2005-0424

ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the **TEXAS DEPARTMENT OF PUBLIC SAFETY (DPS)** for DPS' participation in the Major Accessory Shop Enforcement/14 Grant Program and approving and authorizing the submission of an application for grant assistance to the Texas Automobile Theft Prevention Authority ("ATPA") for the Major Accessory Shop Enforcement/14 Grant Program; declaring the city's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for an accept all subsequent awards, if any, pertaining to the program

33. Ordinance 2005-0439

ORDINANCE approving and authorizing first amendment to interlocal agreement between the City of Houston and **HARRIS COUNTY** for Operation and Maintenance of Finnigan Park and to extend the term of the agreement for ten years - **DISTRICT H - GARCIA**

34. Ordinance 2005-0440

ORDINANCE appropriating \$245,228.00 out of Housing Replacement Insurance Fund (Fund 932) to Reimburse the City's Home Investments Partnership Program Treasury Account for Expenditures made in connection with the Spanish Village Community Development Corporation, Inc.'s Multi-Family Housing Project located at 4000 Griggs Road, Houston, Texas - **DISTRICT D - EDWARDS**

35. Ordinance 2005-0441

ORDINANCE approving and authorizing Public Pay Telephone Services Concession Agreement by and between the City of Houston and **SOUTHWESTERN BELL TELEPHONE L.P. d/b/a SBC TEXAS**, for the Houston Airport System

36. Ordinance 2005-0425

ORDINANCE appropriating \$9,785.00 out of Airport System 1998B AMT Construction Bond Fund (535); approving first amendment to purchase and sale agreement with Reynario Vargas and Erica Vargas for purchase of land and improvements thereon out of Greenview Manor Section Three for Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-63.1 (Project 617) - **DISTRICT B - GALLOWAY**

RESOLUTIONS AND ORDINANCES - continued

37. Ordinance 2005-0426

ORDINANCE appropriating \$612,850.00 out of Airport System Consolidated 2000 AMT Construction Fund (530); authorizing purchase of land and improvements thereon out of Wooded Acres Subdivision, J. W. McGinnis Survey, A-587, and Hartland Acres Subdivision, W.C.R.R. Co. Survey, Section One, A-935, Houston, Harris County, Texas, for Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-64.1 (Project 617); approving purchase and sale agreements with the owners of the land (Santiago Galindo and Graciela Galindo; and Avenell 1996 Family Trust) - **DISTRICT B - GALLOWAY**

38. Council Member Lawrence tagged

ORDINANCE approving and authorizing compromise and settlement agreement between **COATS, ROSE, YALE, RYMAN & LEE** and the City of Houston to settle a claim in connection with Legal Representation of the City of Houston concerning certain non-performing loans \$43,571.70 - Grant Fund

39. Ordinance 2005-0427

ORDINANCE appropriating \$28,611.45 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **PARKSTONE BUILDING COMPANY, LP** for Construction of Sanitary Sewer Line along Hall Road, CIP R-0802-26-03 - **DISTRICT E - WISEMAN**

40. Council Member Wiseman tagged

ORDINANCE appropriating \$4,337,551.00 out of Airports Improvement Fund and awarding contract to **HONEYWELL INTERNATIONAL** for Access Control Modifications and Upgrades at the Houston Airport System, CIP A-0372, (Project 612Y); providing funding for contingencies relating to such fund

41. Ordinance 2005-0428

ORDINANCE approving and authorizing Professional Artist Services Agreement between the City of Houston and **GEORGE SACARIS** for incorporation of Civic Art into the Consolidated Rental Car Facility at George Bush Intercontinental Airport/Houston, Project 444B, CIP A-0422 **DISTRICT B - GALLOWAY**

42. Pulled-Not Considered

ORDINANCE appropriating \$1,950,000.00 out of Airports Improvement Fund; CIP A-0138.31.6, Project 409F; approving and authorizing Amendment No. 1 to contract for Professional Consulting Services by and between the City of Houston and **DEREK CONSULTING GROUP, INC** for Information Technology Services for the Houston Airport System; providing a maximum contract amount

43. Ordinance 2005-0429

ORDINANCE appropriating \$480,076.00 out of General Improvements Consolidated Construction Fund as an additional appropriation for Design of Various City Facilities, GFS D-9999-03-2/ D-0119-01-2; under Professional Engineering Services Contract with **BOVAY ENGINEERS, INC** (Approved by Ordinance No. 99-0573)

44. Ordinance 2005-0442

ORDINANCE appropriating \$5,910,000.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 49R and approving and authorizing first amendment to Professional Engineering Services Contract (approved by Ord. No. 2003-1195), GFS M-0220-03-2 (SM5013) between the City of Houston and **J. F. THOMPSON, INC** for services associated with the Storm Water Management Program (SWMP)

RESOLUTIONS AND ORDINANCES - continued

45. Ordinance 2005-0443

ORDINANCE appropriating \$715,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TSC ENGINEERING COMPANY** for Design of Neighborhood Street Reconstruction Project No. 438A, GFS N-0371-02-2 (SB9210); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICTS A - LAWRENCE; G - HOLM and H - GARCIA**

46. Ordinance 2005-0430

ORDINANCE appropriating \$739,690.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Design of Wilcrest Drive Reconstruction from Beechnut to Bellaire Blvd., GFS N-0766-01-2 (SB9203); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT F - KHAN**

47. Ordinance 2005-0431

ORDINANCE appropriating \$566,500.00 out of Water & Sewer Consolidated Construction Fund as an additional appropriation for the condition assessment of existing large diameter water lines and approving and authorizing second amendment to professional services contract with **LOCKWOOD, ANDREWS, & NEWNAM, INC**, (Approved by Ordinance No. 03-0205); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund, GFS S-0019-25-02 (WA10760) - **DISTRICT I - ALVARADO**

48. Not Received-Not Considered

ORDINANCE awarding contract to **OCE' NORTH AMERICA, INC** for Lease of Two Wide-Format, Multifunction Copiers for Public Works & Engineering Department; providing a maximum contract amount - 3 Years with 2 one-year options - \$511,839.60 - General and Enterprise Funds

49. Ordinance 2005-0432

ORDINANCE appropriating \$1,872,270.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Wastewater Collection System Rehabilitation and Renewal, GFS R-0266-E2-3 (WW4235-26); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

50. Ordinance 2005-0433

ORDINANCE appropriating \$2,042,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **C AND C SERVICES** for Water Line Replacement in Cloverland-3 Subdivision, GFS S-0035-A4-3 (WA10764); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS**

51. Ordinance 2005-0434

ORDINANCE appropriating \$12,450,850.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BOYER, INC** for Supervisory Control & Data Acquisition (SCADA) and Security at EWPP, GFS S-0522-06-3 (WA10659-1); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, Fund No. 755 **DISTRICT E - WISEMAN**

RESOLUTIONS AND ORDINANCES - continued

52. Ordinance 2005-0435

ORDINANCE appropriating \$3,425,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **JALCO, INC** for Construction of On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances, Package #4, GFS S-0701-03-3 (WA10700-04); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; providing funding for engineering and testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

Written motion by Council Member Goldberg to amend Item 53 as follows:

"Item 53 on the City Council Agenda of April 27, 2005 be amended to require that:

If TVMAX merges with or is bought out by a company worth 500 million dollars or more or another tele-Council Member that provides cable services then the agreement must be renegotiated in good faith to serve the entire city on the basis of demonstrated community need." – **Tagged by Council Members Goldberg, Wiseman, Galloway, Green, Lawrence, Alvarado, Khan and Edwards tagged**

53. Council Members Goldberg, Wiseman, Galloway, Green, Lawrence, Alvarado, Khan and Edwards tagged

ORDINANCE granting to **TVMAX HOUSTON, L.P.** a Texas Limited Partnership, the right privilege, and franchise to erect, maintain and operate a Cable Television System in the City of Houston, Texas - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 54 through 60

54. Motion 2005-0368 – Adopt

RECOMMENDATION from Acting Director Library Department for approval of Rules and Regulations for the use of the Houston Public Library System Libraries

TAGGED BY COUNCIL MEMBERS WISEMAN and QUAN

This was Item 3 on Agenda of April 20, 2005

55. Ordinance 2005-0444

ORDINANCE appropriating \$7,620,000.00 out of Water & Sewer System Consolidated Construction Fund for Communications Security Equipment and Components for Various Departments, CIP S-0522-07-03

a. Motion 2005-0378 – Adopt

RECOMMENDATION from Finance & Administration Department to award to **NORTH AMERICAN CONTROLS CORPORATION (NACC)** - \$4,955,000.00, **BL TECHNOLOGY, INC** - \$2,021,000.00, **ANIXTER, INC** (Bid No. 2) - \$169,000.00, **ACCESS & VIDEO INTEGRATION CORPORATION** - \$50,000.00, **TEXAS TECHNICAL SERVICES, INC** - \$780,000.00, **JOHNSON CONTROLS, INC** - \$1,325,000.00 and **HUTTON COMMUNICATIONS, INC** - \$3,000,000.00 for Communications Security Equipment and Components for Various Departments \$12,300,000.00 - General, Grant, Enterprise and Health Special Revenue Funds
TAGGED BY COUNCIL MEMBERS GARCIA, HOLM, WISEMAN, KHAN and SEKULA-GIBBS

These were Items 15 and 15A on Agenda of April 20, 2005

MATTERS HELD – continued

56. Ordinance 2005-0445

ORDINANCE approving and authorizing a resolution and submission of a grant application, in substantially the form attached hereto, and further authorizing acceptance of Title V Funding through the Office of the Governor's Criminal Justice Division to support the Mayor's After-School Achievement Program for Middle School Students - **TAGGED BY COUNCIL MEMBER HOLM**

This was Item 25 on Agenda of April 20, 2005

Motion 2005-0367 – Postpone Item 57 one (1) week – “Died for lack of second”

57. Ordinance 2005-0405

ORDINANCE appropriating and allocating \$15,113,464.00 out of various funds; approving and authorizing contract with **SAP PUBLIC SERVICES, INC** for an Enterprise Resource Planning System; establishing a maximum contract amount; appropriating and allocating \$7,600,000.00 out of various funds and transferring such funds to the Special Non-Recurring Project Fund for expenses relating to the implementation of the Enterprise Resource Planning System

TAGGED BY COUNCIL MEMBERS WISEMAN, GALLOWAY, GREEN, HOLM, SEKULA-GIBBS, GARCIA, KHAN, QUAN and ELLIS

This was Item 32 on Agenda of April 20, 2005

58. Ordinance 2005-0446

ORDINANCE approving and authorizing sponsorship agreement between the City of Houston and **SEAFARER TOWNHOUSE OWNERS ASSOCIATION, INC** for Solid Waste Collection Services - 3 Months - \$2,304.00 - **DISTRICT E - WISEMAN**

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 33 on Agenda of April 20, 2005

59. Ordinance 2005-0447

ORDINANCE appropriating \$721,384.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, INC** for Design of Hillcroft Reconstruction from Southwest Freeway (US59) to Bellaire Blvd., GFS N-0716-01-2 (SB9201); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT F - KHAN**

TAGGED BY COUNCIL MEMBER GOLDBERG

This was Item 40 on Agenda of April 20, 2005

60. Motion 2005-0379

MOTION by Council Member Wiseman/Seconded by Council Member Berry that after review of the record on the appeal filed by Bertha Vargas on behalf of Evangelina Galvan on the decision of the General Appeals Board denial of a Manufactured Home Hardship Permit at 10603 Chickadee Lane, Houston, Texas, the decision of the General Appeals Board be upheld and the appeal denied - **DISTRICT E - WISEMAN** - **TAGGED BY COUNCIL MEMBER KHAN**

This was Item 48 on Agenda of April 20, 2005

Resolution 2005-0008 – Homes of St. Mark – 50th Anniversary

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Galloway first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**4/26/2005 – Council Member Goldberg out of the City on City business
Council Member Lawrence absent on City business**

4/27/2005 – Council Member Garcia out of the City on City business